

REMARKS

Responsive to the Office Action mailed September 10, 2007, Applicants provide the following. The claims have been amended without adding new matter. Claims 1 and 2 have been amended. Eight (8) claims remain pending in the application: Claims 1-8. Reconsideration of claims 1-8 in view of the amendments above and remarks below is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Claim Rejections - 35 U.S.C. §103

1. Claims 1-4 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 5,585,866 (Miller et al.) in view of U.S. Patent No. 5,659,368 (Kerman et al.). Applicants respectfully traverse these rejections in that the combination of the Miller and Kerman patents fail to teach or make obvious all the limitations set forth by the rejected claims. For example, amended claim 1 recites in part:

an EPG processor circuit, including a central processing unit (CPU), supplied with a video signal input, a horizontal sync input, and a vertical sync input, wherein the video signal input includes EPG program information in electronic form describing viewable programs which is extracted from the video signal by the EPG processor circuit, the EPG processor circuit outputs an on screen display (OSD) signal for displaying the history information about a selected episode of a program

Specifically, the combination of Miller and Kerman fails to teach or make obvious at least the EPG processor circuit outputs an on screen display (OSD) signal for displaying the history information about a selected episode of a program. The office action has relied on Miller to illustrate "history information" as recited in claim 2 and amended claim 1. However, Miller does not teach or suggest history information about a selected episode of a program. Instead, Miller

merely discloses a “data stream contains program schedule information” and not history information as recited in amended claim 1 and claim 2 (Miller, col. 7 lines 66-67). The office action also recites col. 14, line 41- col. 15, line 5; col. 19, lines 38-57 and col. 23, lines 30-52 in attempting to demonstrate “history information” found in the language of claim 2 and amended claim 1. Applicants respectfully assert that the cited portions of Miller and Miller as a whole does not disclose the EPG processor circuit outputs an on screen display (OSD) signal for displaying the history information about a selected episode of a program. The cited portions of Miller are merely examples of applications of the EPG, such as a REMINDER message to remind a user of the start of a selected program, the ability to view billing information such as purchase charges and balance information, and a “Locked Program” feature which displays which programs were included in the lockout title list (Miller, col. 14, line 41- col. 15, line 5; col. 19, lines 38-57 and col. 23, lines 30-52). Miller does not disclose history information about a selected episode of a program. Further, Kerman also does not disclose or make obvious history information about a selected episode of a program as Kerman would only utilize schedule information to provide a user with a notification system for television receivers when a certain event occurs. Therefore, amended independent claim 1 is not obvious by Miller in view of Kerman.

Claims 2-4 depend from claim 1. Therefore, claims 2-4 are also not obvious in view of Miller and Kerman due at least to their dependency on allowable claim 1.

With regards to amended claim 2, the combination of Miller and Kerman fails to teach or make obvious the EPG processor circuit outputs the on screen display (OSD) signal for displaying the history information about the selected episode of the program simultaneously with another episode of the program, wherein the selected episode of the program occurs previously to the another episode of the program. As previously mentioned above, Miller and Kerman fail to teach or make obvious history information about the selected episode. In addition, Miller and Kerman do not disclose displaying history information about the selected episode of the program simultaneously with another episode of the program. Instead, Miller merely discloses “the user first enters the BROWSE mode and begins scanning channels, the schedule information appearing in the overlay portion 111” (col. 14, lines 6-8). The combination of Miller and Kerman

appearing in the overlay portion 111” (col. 14, lines 6-8). The combination of Miller and Kerman do not teach or make obvious history information about the selected episode of the program simultaneously with another episode of the program. Therefore, claim 2 is not obvious by Miller in view of Kerman.

2. Claim 5 stands rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 5,585,866 (Miller et al.) in view of U.S. Patent No. 5,659,368 (Kerman et al.) and further in view of U.S. Patent No. 7,032,236 (Ozkan et al.). Applicants respectfully traverse this rejection as claim 5 is allowable due to at least its dependency on allowable claim 1.

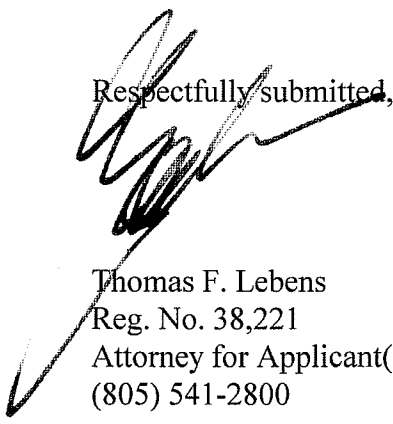
3. Claims 6-8 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 5,585,866 (Miller et al.) in view of U.S. Patent No. 5,659,368 (Kerman et al.) and further in view of U.S. Publication No. 2003/0149988 (Ellis et al.). Applicants respectfully traverse these rejections as claims 6-8 are allowable due to at least their dependency on allowable claim 1.

CONCLUSION

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

Dated: 12/10/2007


Thomas F. Lebens
Reg. No. 38,221
Attorney for Applicant(s)
(805) 541-2800

Address all correspondence to:
FITCH, EVEN, TABIN & FLANNERY
120 So. LaSalle Street, Ste. 1600
Chicago, IL 60603

Direct telephone inquiries to:
Thomas F. Lebens
(805) 541-2800
San Luis Obispo, California Office of
FITCH, EVEN, TABIN & FLANNERY